

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-12346 MLW

MARLOW WILLIAMS, SR.,
Plaintiff.

v.

GREG LONG, OTIS
HAREWOOD, GREG LONG,
BRIAN ALBERT, EDWARD
MEADE, JOHN CONROY, AND
THE CITY OF BOSTON,
Defendants.

**ANSWER OF THE DEFENDANT EDWARD MEADE TO
PLAINTIFF'S COMPLAINT, WITH AFFIRMATIVE DEFENSES AND JURY DEMAND**

NOW COMES Edward Meade, Defendant in the above-entitled
action, and hereby answers the Plaintiff's Complaint
("Complaint"), as follows:

PARTIES

1. Defendant Edward Meade states that he is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph one of the Complaint, and therefore, neither admits nor denies said allegations.
2. Defendant Edward Meade admits the allegations contained in Paragraph two of the Complaint.
3. Defendant Edward Meade admits the allegations contained in Paragraph three of the Complaint.
4. Defendant Edward Meade admits the allegations contained in Paragraph four of the Complaint.

5. Defendant Edward Meade admits the allegations contained in Paragraph five of the Complaint.

6. Defendant Edward Meade admits the allegations contained in Paragraph six of the Complaint.

7. Defendant Edward Meade admits the allegations contained in Paragraph seven of the Complaint.

8. Defendant Edward Meade states that Paragraph eight of the Complaint contains legal conclusions, and therefore no response is required. To the extent that an answer is required, the allegations in Paragraph eight are denied.

COUNT I

Paragraphs 1-7 of Count I of the Complaint contain allegations against a Defendant other than Edward Meade, and therefore no response from Defendant Edward Meade is required.

COUNT II

Paragraphs 1-8 of Count II of the Complaint contain allegations against a Defendant other than Edward Meade, and therefore no response from Defendant Edward Meade is required.

COUNT III

Paragraphs 1-8 of Count III of the Complaint contain allegations against a Defendant other than Edward Meade, and therefore no response from Defendant Edward Meade is required.

COUNT IV

Paragraphs 1-7 of Count IV of the Complaint contain allegations against a Defendant other than Edward Meade, and therefore no response from Defendant Edward Meade is required.

COUNT V

Paragraphs 1-8 of Count V of the Complaint contain allegations against a Defendant other than Edward Meade, and therefore no response from Defendant Edward Meade is required.

COUNT VI

Paragraphs 1-8 of Count VI of the Complaint contain allegations against a Defendant other than Edward Meade, and therefore no response from Defendant Edward Meade is required.

COUNT VII

Paragraphs 1-7 of Count VII of the Complaint contain allegations against a Defendant other than Edward Meade, and therefore no response from Defendant Edward Meade is required.

COUNT VIII

Paragraphs 1-8 of Count VIII of the Complaint contain allegations against a Defendant other than Edward Meade, and therefore no response from Defendant Edward Meade is required.

COUNT IX

Paragraphs 1-8 of Count IX of the Complaint contain allegations against a Defendant other than Edward Meade, and therefore no response from Defendant Edward Meade is required.

COUNT X

Paragraphs 1-7 of Count X of the Complaint contain allegations against a Defendant other than Edward Meade, and therefore no response from Defendant Edward Meade is required.

COUNT XI

Paragraphs 1-8 of Count XI of the Complaint contain allegations against a Defendant other than Edward Meade, and therefore no response from Defendant Edward Meade is required.

COUNT XII

Paragraphs 1-8 of Count XII of the Complaint contain allegations against a Defendant other than Edward Meade, and therefore no response from Defendant Edward Meade is required.

COUNT XIII

1. Defendant Edward Meade states that Paragraph one of Count XIII of the Complaint contains legal conclusions, and therefore no response is required. To the extent that an answer is

required, the allegations contained in Paragraph one of Count XIII are denied.

2. Defendant Edward Meade denies the allegations contained in Paragraph two of Count XIII of the Complaint.

3. Defendant Edward Meade denies the allegations contained in Paragraph three of Count XIII of the Complaint.

4. Defendant Edward Meade denies the allegations contained in Paragraph four of Count XIII of the Complaint.

5. Defendant Edward Meade denies the allegations contained in Paragraph five of Count XIII of the Complaint.

6. Defendant Edward Meade states that Paragraph six of Count XIII of the Complaint contains legal conclusions, and therefore no response is required.

7. Defendant Edward Meade denies the allegations contained in Paragraph seven of Count XIII of the Complaint.

COUNT XIV

1. Defendant Edward Meade states that Paragraph one of Count XIV of the Complaint contains legal conclusions, and therefore no response is required. To the extent that an answer is required, the allegations contained in Paragraph one of Count XIV are denied.

2. Defendant Edward Meade denies the allegations contained in Paragraph two of Count XIV of the Complaint.

3. Defendant Edward Meade denies the allegations contained in Paragraph three of Count XIV of the Complaint.

4. Defendant Edward Meade denies the allegations contained in Paragraph four of Count XIV of the Complaint.

5. Defendant Edward Meade denies the allegations contained in Paragraph five of Count XIV of the Complaint.

6. Defendant Edward Meade denies the allegations contained in Paragraph six of Count XIV of the Complaint.

7. Defendant Edward Meade states that Paragraph seven of Count XIV of the Complaint contains legal conclusions, and therefore no response is required.

8. Defendant Edward Meade denies the allegations contained in Paragraph eight of Count XIV of the Complaint.

COUNT XV

1. Defendant Edward Meade states that Paragraph one of Count XV of the Complaint contains legal conclusions, and therefore no response is required. To the extent that an answer is required, the allegations contained in Paragraph one of Count XV are denied.

2. Defendant Edward Meade denies the allegations contained in Paragraph two of Count XV of the Complaint.

3. Defendant Edward Meade denies the allegations contained in Paragraph three of Count XV of the Complaint.

4. Defendant Edward Meade denies the allegations contained in Paragraph four of Count XV of the Complaint.

5. Defendant Edward Meade denies the allegations contained in Paragraph five of Count XV of the Complaint.

6. Defendant Edward Meade states that Paragraph six of Count XV of the Complaint contains legal conclusions, and therefore no response is required. To the extent that an answer is required, the allegations contained in Paragraph six of Count XV are denied.

7. Defendant Edward Meade states that Paragraph seven of Count XV of the Complaint contains legal conclusions, and therefore no response is required.

8. Defendant Edward Meade denies the allegations contained in Paragraph eight of Count XV of the Complaint.

COUNT XVI

Paragraphs 1-7 of Count XVI of the Complaint contain allegations against a Defendant other than Edward Meade, and therefore no response from Defendant Edward Meade is required.

COUNT XVII

Paragraphs 1-8 of Count XVII of the Complaint contain allegations against a Defendant other than Edward Meade, and therefore no response from Defendant Edward Meade is required.

COUNT XVIII

Paragraphs 1-8 of Count XVIII of the Complaint contain allegations against a Defendant other than Edward Meade, and therefore no response from Defendant Edward Meade is required.

COUNT XIX

Paragraphs 1-8 of Count XIX of the Complaint contain allegations against a Defendant other than Edward Meade, and therefore no response from Defendant Edward Meade is required.

AFFIRMATIVE DEFENSES

First Affirmative Defense

The Complaint fails to state a claim against Defendant Edward Meade upon which relief may be granted.

Second Affirmative Defense

Defendant Edward Meade states that there is no factual connection between any unconstitutional municipal custom, policy or practice and any alleged violation of the Plaintiff's constitutional right.

Third Affirmative Defense

Defendant Edward Meade states that at all relevant times, he acted in good faith and in accord with the Constitutions and laws of the United States and of the Commonwealth of Massachusetts.

Fourth Affirmative Defense

Defendant Edward Meade states that the Plaintiff has not been deprived of any rights secured by either the Constitutions or the laws of the United States, or of the Commonwealth of Massachusetts.

Fifth Affirmative Defense

Defendant Edward Meade states that the injury or damage alleged in Plaintiff's Complaint was neither caused nor proximately caused by him.

Sixth Affirmative Defense

Defendant Edward Meade states that the Plaintiff, by his own acts, omissions, conduct and activities is estopped from asserting any claims against Defendant Edward Meade.

Seventh Affirmative Defense

Defendant Edward Meade states that the Complaint fails to state a claim entitling the Plaintiff to relief because he is entitled to qualified immunity.

Eighth Affirmative Defense

Defendant Edward Meade states that the Complaint fails to state a claim entitling the Plaintiff to relief because the claim is barred under Heck v. Humphrey, 512 U.S. 477, 487 (1994).

JURY CLAIM

Defendant Edward Meade demands a trial by jury on all claims.

Respectfully submitted,

DEFENDANT EDWARD MEADE,
Merita A. Hopkins
Corporation Counsel
By his attorneys:

/s/ Helen G. Litsas
Helen G. Litsas, BBO #644848
Thomas R. Donohue BBO #643483
Assistant Corporation Counsel
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CERTIFICATE OF SERVICE

I hereby certify that on this day a true
copy of the above document was served
upon the plaintiff by mail/by hand/by fax.

11/2/05 /s/ Helen G. Litsas